

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88695

Yoshinobu MORIMOTO, et al.

Appln. No.: 10/540,840

Group Art Unit: 1615

Confirmation No.: 2260

Examiner: Melissa S. MERCIER

Filed: January 5, 2006

For: COMPOSITION FOR WHITENING

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on July 1, 2008 with Examiners Melissa S. Mercier and Mark Woodward:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was mailed July 30, 2008.

During the interview, the following was discussed:

- 1. Brief description of exhibits or demonstration:** None.
- 2. Identification of claims discussed:** 1, 11, 12 and 14.
- 3. Identification of art discussed:** Ancira and Bundgaard of record.
- 4. Identification of principal proposed amendments:** Proposed amendments to recite

oral preparations and/or methods of whitening comprising oral administration of the compositions of the invention were discussed.

5. Brief Identification of principal arguments: Applicants representative argued that neither Ancira nor Bundgaard teaches or suggests the combination of tranexamic acid and L-cysteine or a combination of tranexamic acid, L-cysteine and ascorbic acid as recited in the present claims amongst the thousands of possible combinations taught by the references, nor the unexpectedly superior whitening effects and prevention of pigmentation of the claimed invention. Specifically with respect to Ancira it was pointed out that there are over 2000 possible combinations of the 50 or so types of melanin inhibitors disclosed therein and even more compounds disclosed in Bundgaard and thus thousands more possible combinations.

However, the Examiner's maintained that it would have been obvious for one of ordinary skill in the art to arrive at the claimed combination based on the lists of compounds disclosed in the references. Applicants' representative responded by stating that the number of possible combinations in the thousands could not be considered a finite number of possible solutions as required to sustain such a rejection, but the Examiners stated that they disagreed.

6. Indication of other pertinent matters discussed: None.

7. Results of Interview: No agreement was reached.

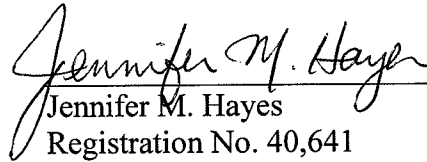
It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

Statement of Substance of Interview
U.S. App. Ser. No. 10/540,840

Atty. Dckt. No. Q88695

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

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Date: August 21, 2008